

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA**

In re:	:	
Chong Woo Yi	:	Chapter 7
	:	
Debtor	:	Case No.: 19-14866MDC

**EXPEDITED MOTION TO CONVERT BANKRUPTCY CASE FROM A
CHAPTER 7 TO A CHAPTER 13 MATTER**

1. The above referenced Chapter 7 Bankruptcy was filed on or about August 1, 2019.
2. The subject Chapter 7 was filed by the Debtor's previous counsel.
3. The Chapter 7 Bankruptcy was assigned case number 19-14866.
4. The Chapter 7 Bankruptcy filing was for the purpose of obtaining a discharge of unsecured debts listed on Schedule "F" of the Debtor's Bankruptcy Petition.
5. Per the attached Deadline/Hearings Schedule, it appears that the Chapter 7 341 meeting in this case has not yet been concluded and there is a Chapter 7 341 meeting scheduled for November 8, 2019. The Deadline/Hearings Schedule dated October 29, 2019 is attached hereto and labeled as Exhibit "A."
6. At all times relevant hereto, it was the Debtor's intention to maintain his residence in the real property known as and located at 15137 Kallaste Drive, Philadelphia, PA 19116.
7. The Debtor previously filed one bankruptcy case under Chapter 7 on March 29, 2000.

8. According to the Debtor he was not provided the option of a Chapter 13 filing or conversion to a Chapter 13 until October 24, 2019 by his former counsel.

9. The undersigned counsel was retained by the Debtor on October 28, 2019.

10. At this time, there are two Motions pending in the instant bankruptcy matter filed on behalf of the Chapter 7 trustee.

11. The first Motion, was filed on October 16, 2019 as a Motion to Sell the Debtor's Real Estate.

12. The hearing on the Motion to Sell Real Estate was scheduled in the regular due course for November 13, 2019.

13. Subsequent to the October 16, 2019 Motion to Sell Real Estate an expedited Motion compelling access and compelling the Debtor to vacate his property was filed on October 24, 2019 as an expedited Motion and provided a hearing date of November 6, 2019.

14. If the instant Motion to convert to a Chapter 13 is Granted by this Honorable Court, the two aforementioned motions filed on behalf of the trustee shall be deemed moot.

15. 11 USC Section 706(a) of the Bankruptcy Code provides that a Debtor may convert a case under Chapter 7 to a Case under Chapter 11, 12 or 13 of this title at any time..."

16. The Debtor is under the belief that he can afford a Chapter 13 Plan Payment in that his wife's Social Security income in the sum of approximately \$750.00 was not included on the original filed Schedule "I," further, the Debtor's adult son who resides in the subject property is employed on a full time basis and is willing to make a

contribution to the Debtor . Lastly, the Debtor is willing to obtain part time employment if need be to maintain his financial obligations relating to his residence.

17. The Debtor is now fully aware that he will need to pay the non-exempt equity in the home located and known as 15137 Kallaste Drive, Philadelphia, Pennsylvania in the form of a Chapter 13 trustee payment.

18. Based on the expedited Motion to Compel with the hearing scheduled for **November 6, 2019 at 10:30am**, it is requested that the hearing on this instant Motion to Convert be held contemporaneously therewith.

WHEREFORE, based on the reasons detailed in the aforementioned Motion to Convert from a Chapter 7 to a Chapter 13 Bankruptcy, the Debtor, Chong Woo Yi, respectfully requests that this Honorable Court enter an Order allowing the conversion to a Chapter 13 Bankruptcy Matter.

DATE: October 28, 2019

/s/ Brad J. Sadek, Esq.

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